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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

9 DAVID BORUCHOWITZ,   )
)   Case No. 2:16-cv-02971-JAD-NJK
10   Plaintiff(s),   )
)
11 vs.   )   ORDER
)
12 ANTHONY DEMEO, et al.,   )
)
13   Defendant(s).   )
   _____)

14

15   On March 27, 2017, when the parties had missed the original deadline to file a joint proposed

16 discovery plan and scheduling order in this case, the Court ordered the parties to file either (1) a joint

17 proposed discovery plan; or (2) a status report explaining why a proposed discovery plan should not

18 be filed at this time, no later than March 31, 2017. Docket No. 15. On March 28, 2017, the parties

19 filed a joint status report. Docket No. 16. The parties submit that the pending motion to dismiss in

20 this case will determine what discovery is necessary. *Id.* at 1. The parties further submit that

21 Defendant Nye County has not yet appeared in this case and will likely have input regarding what

22 discovery is necessary and the time required to complete discovery. *Id.* at 1-2. The parties therefore

23 ask the Court to extend the deadline for them to submit a joint proposed discovery plan until 30 days

24 after the filing of the status report currently before the Court. *Id.*

25   The mere pendency of a dispositive motion does not delay the parties' discovery obligations.

26 *Cf. Kor Media Grp., LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013). Additionally, this Court's

27 Local Rules expressly require parties to submit a proposed discovery plan and scheduling order

28 within approximately 45 days of the first defendant's first answer or appearance. LR 26-1(a).

1 Further, United States District Judge Jennifer A. Dorsey has denied Defendants' motion to dismiss

2 and vacated the April 3, 2017, hearing. Docket No. 18.

3   Accordingly, the Court **DENIES** the parties' request to extend the deadline to submit their

4 joint proposed discovery plan. The Court **ORDERS** the parties to submit a joint proposed discovery

5 plan and scheduling order, no later than April 3, 2017.

6   IT IS SO ORDERED.

7   DATED: March 29, 2017.

8   _____

9   NANCY J. KOPPE
           United States Magistrate Judge

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